UNCLE TOM'S NOT DEAD YET

Two incidents last week illustrated what happens to people who live in a jim-crow country.

Down in Mississippi, a man called for jury service was excused when he said he would "send no white lady to the chair."

In various sections of the country last week could be heard among both colored and white people some such statement as this:

"There is that Paul Robeson, Jr. All he is doing is causing us a lot of trouble by marrying a white girl. Why couldn't he find a nice girl among his own people?"

Both of these incidents illustrate the jim-crow soul. Things like this happen to minorities sometimes.

When the majority is ugly, hateful and prejudiced, it talks about racial inferiority so much and so long that it even gets the minority to believe it.

Take that juror, for example. If he had said that he didn't believe in capital punishment for any woman, he would be making a statement that is reasonable. When he says he doesn't believe in capital punishment for a white woman, he infers that he does believe in it for his own mother and for his own sister but not for a stranger who happens to be white.

That kind of argument, of course, makes no sense. It is Uncle Tomism carried to the extreme.

As for those among us who condemn young Robeson for intermarriage, they should remember that the two people love each other and when that happens, they are not disposed to ask anybody's permission.

Mohammed, founder of a great religion, had the idea that there were five races of men and that a man should have five wives, one from each race, so that his children would find it impossible to harbor race prejudice.

The French general, Napoleon, after his campaign in Africa, agreed with Mohammed. There are others who can complain that there can be complete equality of the races without intermarriage.

No student of history can point out such a case and as long as that remains the easiest solution to the problem, why look for any other?

Negroes Figure in Big Cases

Mixed Juries Aimed At Red Propaganda?

By STANLEY ROBERTS
(Special to The Courier)

WASHINGTON—An American Negro citizen is the most reliable juror in cases involving the safety of the United States.

That inescapable conclusion has been implied again and again in recent Government trials and it has been brought into international focus with the recently ended Judith Coplon case where espionage was the important factor.

In this latest conviction—and the Government has convicted in each case—six colored Americans sat in deliberation:

Mrs. Helen G. Smackum, 1542 First Street, SW, head charwoman at the Municipal Center; Mrs. Adelena M. Howard, 719 Irving Street, NW, an operator in the Bureau of Engraving and Printing; Mrs. Mattie A. Jones, 24 Quincy Place, NE, a housewife; Henry C. Burrell, 1810 Eighth Street, NW, a stamp packer in the Bureau of Engraving; Eugene M. Shorter, 922 Forty-Seventh Street, SE, a clerk in the Quartermaster General's office, and Mrs. Mattie E. Taylor, 558 Twenty-third Place, NE, a housewife.

Government and defense alike also agreed to Negro jurors—evidently desired them—in the General Meyers case (conviction), the Gerhardt Eisler case (conviction), the Axis Sally case (conviction), the Congressman Mays-Garson Brothers case (conviction), and the present trial of the Communist leaders in New York's Federal court.

Laymen, attorneys and members of the Coplon jury were interviewed by The Courier concerning the new innovation of Negroes on Federal juries in such great numbers.

A juror on the Coplon case had his to say:

"Uncle Sam is engaging in an anti-propaganda campaign directed at the Soviet Union in these espionage cases.

"Behind the 'Iron Curtain' America is portrayed as a country where every Negro, North and South, lives in terror and in constant fear of his life. Every lynching and every race riot is played up out of proportion. There are little if any success stories about Negroes shown to the Russian people.

"Therefore when a case where American citizens are being tried as Russian spies comes into the international spotlight and there on the jury sitting in judgment are one or more Negro jurors . . . well . . . slick old Uncle Sam is engaging in a subtle but effective piece of anti-Communist propaganda.

"Democracy is in action and what's more the interracial juries are bringing in convictions."

But that does not explain the willingness of defense lawyers in these cases to accept Negroes in great proportions.

A distinguished attorney commented to The Courier:

"It seems to me," he said, "that defense lawyers have underestimated and misinterpreted the Negro mind in these cases.

"They bank on the fact that the Negro is the most aggrieved element of the population; that he is sullen and resentful of his treatment by America and therefore will be inclined to have sympathy for another man who is being prosecuted by the powerful United States Government.

"But," our informant continued, "that is exactly where he is wrong. Negroes, where the safety and security of his native land is concerned, are America's most loyal citizens. The Negro produces no insurrectionists nor traitors in the dramatic sense of the word. He fights his battle within the framework of law and becomes a very conservative individual when danger threatens from without.

"White lawyers pleading for clients in espionage cases don't seem to understand these factors."

Negro jurors in the Coplon case told The Courier that Atty. Archibald Palmer directed the emotional and religious appeal in their direction quite frequently when he plead in Judy Coplon's behalf.

"Judge not lest you be judged," implored Attorney Palmer as he steadily and significantly looked into the eyes of a Negro juror.

Another juror said it was very evident that Attorney Palmer knew of her deep religious convictions. At one point he gazed at her for almost a minute, then slowly phrased:

"He that is among you without sin—let him cast the first stone."

The Negro juror, like other men and women who sit in judgment, are also being subjected to the usual threats and crank letters that inevitably go along with well publicized cases.

Here are a few excerpts from the mail sent to a Judy Coplon juror:

"As the Holy God reveals in Revelations, European Imperialists ruled the colored races of the earth with the whiplash and the sword. If educated, civilized, Christian, refined Negroes want to thank Holy God in Heaven, here is a chance to show Him you appreciate being brought to America."

Another message sent through the mail to a Negro juror said: "Send a girl to a living hell on circumstantial evidence! Be ye no respector of persons, for if you let Truman walk free to do more harm by robbing the United States Treasury to finance European imperialists, perpetual wars of hate and greed and lust.

"Convict Judy and Russia will burn America for your sins."

To summarize: A great tribute of respect is currently being paid colored citizens by their inclusion in ever-increasing numbers on Federal jury panels. It attests to their loyalty and is a direct vote of confidence from his Government—at least from men in the office of the United States Attorney General.

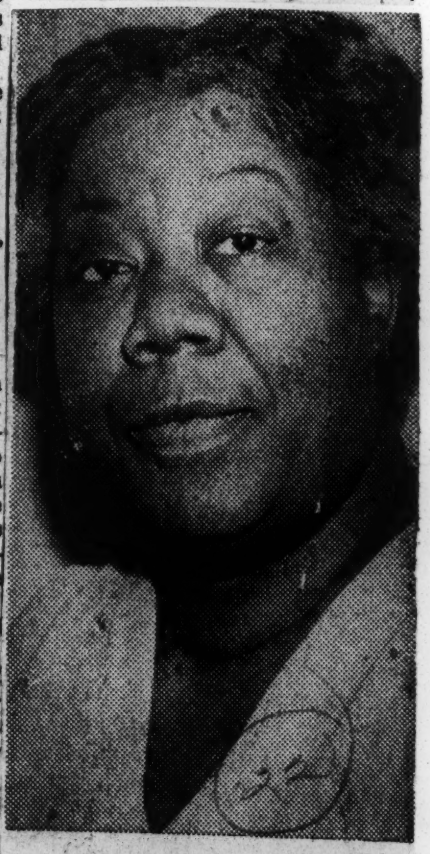
Mixed Jury Finds Coplon Guilty

WASHINGTON—After deliberating for a day and a half, the Federal Court Jury returned a verdict of guilty of espionage against Miss Judith Coplon. The verdict was handed to Judge Albert L. Reeves at 2:10 p.m., Thursday by the foreman of the jury and made public at 2:35.

Charged with taking secret Government documents from the FBI with intent to pass them on to a foreign power, the Government girl faces a possible 10-year sentence and a $10,000 fine on one count and a three-year sentence and $2,000 fine on another.

The jury of eight men and four women included four colored women and two colored men. The colored jurors were:

Mrs. Helen C. Smackum of 1542 First St., S.W., head charwoman at the Municipal Center; Mrs. Adelena M. Howard, 719 Irving St., N.W., an operator in the Bureau of Engraving; Mrs. Mattie A. Jones, 24 Quincy Pl., a housewife; Mrs. Mattie E. Taylor, 558 23rd Pl., N.E., a housewife; Henry . Burrell, 1810 Eighth St., N.W., a stamp packer in the Bureau of Engraving, and Eugene M. Shorter, 922 47th St., S.E., a clerk.



MRS. MATTIE E. TAYLOR
. . . held up jury 20 hours

She Wanted To Be Sure

By MRS. M. E. TAYLOR

(Juror "Number 11" in the famous Judith Coplon espionage trial.)

(As told to STANLEY ROBERTS)

WASHINGTON—Yes, I am the woman who took my good time to make up my mind whether Judith Coplon

intended to turn over United States Government documents to a Russian agent.

They say that I was almost responsible for a hung jury

READ: "Pursuit of Democracy" . . . turn to editorial pages.

when I took twenty hours to do a lot of thinking about this case. They say that if the jury had been hung then the whole ten weeks of the trial would have been wasted and the Government would have had to try it all over again.

Be that as it may, I was determined to leave that jury room with a clear conscience . . . which I did. And, now, since so many people have called me night and day and my phone keeps ringing all the time with editors of magazines and newspapers wanting my story I have decided to tell it for the first time exclusively to The Pittsburgh Courier.

Oct. 7-9-49

I guess this case has caused a lot of talk all over the world what with all the newspapermen who were at the trial and the photographers taking pictures of the jury every time they had a chance. But I never did dream that afterwards people would want to know so much about me until I got home Thursday night after fighting my way through that awful crowd in and outside of the courthouse and my husband said: "All the newspapers want to talk to you."

Just then the phone rang and I answered it. A reporter for a Washington daily paper said:

"Mrs. Taylor, we understand you were the one who held up the jury. Why did it take you so long to make up your mind?"

That question took me by complete surprise. I had not told anyone I was the juror holding out.

But I could have told anyone then and there that it always takes me a long time to make up my mind. I have always deliberated on everything I've done. I'm not ever going to be rushed. And although I don't have much, I'm not going to be rushed into taking anything away from a person, especially taking away the freedom of a young woman until I feel within myself that I am right.

[This is the first of a series of two articles written by Mr. Roberts. The second article will appear next week.]

NEW EXPERIENCE

The experience was new to me and it takes quite a lot out of a woman to sit on a jury. Judge Albert L. Reeves, the 75-year-old visiting judge from Kansas City, has been quoted since the trial as saying he thought it should have lasted only a week. Actually it took ten weeks.

TEN LONG WEEKS

Ten long weeks I sat there listening to testimony and cross examinations and then people were surprised when I took twenty hours to weigh the evidence and make up my mind.

However, I think that women understand me. Of all the calls and mail I've received since the trial only one person disagreed with me finally casting my vote for Miss Coplon being guilty. What they congratulated me for was taking my time until I felt sure she was guilty.

Before I go further let me explain to you how I felt about the two charges against this girl—Judy Coplon. There is one law that forbids anybody to take . . . or copy and take away from the Governme t . . . any documents or writings or notes that relate to our national defense. The judge made that law very plain.

Now Judy violated that law. I felt sure Judy was guilty of violating that law.

But the next law is the thing that has caused all the commotion about me holding up the jury's verdict.

The second law, Judge Reeves told us about, is the law which talks about the INTENTION of the person AFTER he copies or takes any of the documents or writings relating to the national defense of the United States.

The judge said if the person takes the documents with the intention that it will be used to the disadvantage of the United States . . . that it will hurt the United States, and . . . that it will be used to the advantage of another country . . . then we should punish that person.

As I have said, Judy was guilty of taking those papers from her office in the Justice Department. But after ten weeks of talk, talk, talk, and arguments and scenes I wanted to be firmly convinced of her INTENT . . . after she took the papers.

I told my fellow jurors in the jury room: "I vote guilty on her taking the Government documents, but I want this business of 'intent' cleared up for me before I vote guilty or innocent on that charge."

And that was the situation on Wednesday night when they had to get Judge Reeves out of bed, I understand, to explain the meaning of the word "intent" to my jury.

After the court convened late at night the judge explained it for my own benefit although he was unaware just who was holding up the verdict.

And I'll say this too: It was late almost midnight when Judge Reeves got through and although we had gone home every night for ten weeks before the case had been put in th hands of the jury, that was one night the Government showed it could break down jim crow in Washington, D. C., when it wanted to.

Six Negroes and six white jurors were comfortably housed in the very nice bedrooms in the exclusive Continental Hotel on the night of Wednesday, June 29!

And we were adequately protected by the United States Marshal.

Now I want to start at the point where we entered the jury room. I know that you have already kept up with the trial itself in your newspapers and over the radio.

After we were charged by Judge Reeves and went into the jury room we talked for awhile and then the foreman began taking votes. Sometimes we stood up to vote. At other times we answered as our numbers were called. I was "Number Eleven."

In between voting and discussing the case we talked about other things to freshen our minds a bit. Once I talked to one of the men about books. I read a lot myself.

As time went on everybody became awfully tired since it was so hot in there. Then I began to worry. I worried about the meaning of the word "intent."

It was then that I was conscious that other members of the jury felt that I was holding up the deliberations. I suppose we became a bit impatient.

I knew that others had families and responsibilities they wanted to get home to . . . but after all I also was anxious to get home. My husband is blind. I had been away from him every day for ten weeks while tied up with the trial so nobody was any more anxious to get home than me. I told the others that.

I am a Christian. I am a Catholic. I have no sympathy for communism. But I could not vote guilty on both counts until I was positive in my mind that I was right.

Then late that night I said I wanted to see the Judge. I understand since the trial that they had to get the poor man out of bed in order for him to come to the courtroom. We all went in and Judge Reeves patiently talked about the word "intent."

The judge clarified the meaning of the word—explaining to us that it meant "Judy's purpose" in taking the documents from the files.

One other woman on the jury told me she understood how I felt. She said not to let the others rush me, but to take my own time and make up my mind.

After we came back into the jury room they asked me if I was ready to vote now and I said no and then we talked until around midnight. We then recessed for the night.

Some of the jurors had brought night clothes with them and some did not. The U. S. Marshall tried to get in touch with our homes and tell our families that we had to stay all night.

I asked that my husband be called and that everything be explained to him as to why I would not be with him that night. They did, but afterwards he said he was very worried.

That is when we were escorted to the Continental Hotel. I was very upset and worried. The woman who roomed with me was sick and I became sick also. It was very hot. I could not sleep. All I could think about was my great responsibility in doing the right thing. I prayed for guidance. That helped and I got some sleep.

Alabama Capital Case Has Negro Juror

Montgomery, Ala., March 3 (AP). Perhaps for the first time in a capital case here, a Negro was on the jury as a 30-year-old white Air Force sergeant went on trial charged with murdering his brother.

Negroes have served on juries in local courts, but a Circuit Court official said this is possibly the first time in a capital case.

The defendant, Sergt. Moses Tate, is charged with killing his brother, Forest, 26, last July 23.

A Negro barber, Orran Campbell, 60, is serving with 11 white jurors in the trial.

Serves On Ala. Jury That Sentences White

(Defender Southeastern Bureau)

MONTGOMERY, Ala.—A Negro barber was a member of the Circuit Court jury which last week found a white army sergeant, Moses Tate, 30, guilty of murdering his brother.

The sergeant was sentenced to 10 years imprisonment for shooting to death his brother, Forest, 26, last July.

Said by court officials to be the first Negro ever to serve on jury in a capital case here, the sole colored juryman was Orran Campballe, 60,

Mixed Jury In Dixie Trial

MONTGOMERY, Ala. — Orran Campbell, 60-year-old barber, was selected on a jury with eleven whites, where Air Force Sgt. Moses Tate, white, is on trial charged with the slaying of his brother. It is believed to be the first mixed jury to hear a capital case in this city.

At the end of the first day's trial, the jurors were instructed to go to their respective homes. Usually in capital cases, jurors are lodged together in a hotel.

Ala. Grand Jury Seats 2 Negroes

MONTGOMERY, Ala. — Two Negroes, Kelly Spencer of Prattville Ala., and Pluie M. Blair of this city served on a Federal Grand Jury which returned true bills last Friday charging three ex-Alabama police officers and another, still in uniform, with violating the civil rights of ten Negroes and one white man.

The men under indictment are Cecil Orris Thrash, Bellasee, Ala. indicted for the fatal shooting of a Negro suspect; Thomas L. Gantt former chief of police at Florala Ala., William D. Durden and Winkler Campbell, ex-Montgomery officers.

Two Race Citizens On Arkansas County Jury For 1st Time

LONOKE, Ark.—Two Negroes are on the Lonoke County Petit Jury for the first time. They are: Roosevelt Anderson of England and Charlie B. Watson of Cabot.

They were called to serve during the September term of Circuit Court. Thus far the jury has examined 20 witnesses.

Recently the group returned an indictment against H. Gentry, who was charged with having disposed of 37 bales of mortgaged cotton with intent to defraud.

Jefferson is first Negro judge to nominate grand jurors; 4 proposed; Beavers winds up term

Two 'firsts' were on record for Los Angeles County this week as the names of 135 citizens were submitted by 51 of the 61 superior court judges as nominees for the 1950 county grand jury.

For the first time in California history, a Negro judge made nominations for the panel, and there was a record number, four, nominated.

The Negro judge was Edwin L. Jefferson, raised to the superior court this year after two terms on the municipal court bench. Judge Jefferson nominated well known woman's club leader, Mrs. Ethel G. Atkinson, of 1146 S. Kingsley dr., described as a housewife; and Mrs. Flora Grant, of Pasadena, also a housewife.

Two other judges nominated Negroes: Judge Frederick F. Houser, who won note in the community as the presiding judge over the celebrated Appleby-Gordon case, nominated Herman Hill, of the Pittsburgh Courier, one of the reporters who covered the trial;

Judge Robert H. Scott, whose 1949 nominee, insurance executive George A. Beavers, Jr., is presently serving on the jury, nominated the Rev. Harold M. Kingsley, pastor of the Church of Christian Fellowship.

Largest number of Negroes to serve on the grand jury at one time has been one. Mrs. Charlotta A. Bass, publisher of the California Eagle, preceded Beavers.

From the 135 nominees, 19 jurors will ultimately be chosen. The sifting process will evolve through eliminations by a committee of judges and by citizens. Remaining names will then be placed on a jury "wheel" and drawn at random. From the first 30 drawn, the presiding judge of the criminal division of the court will then select the jury.

BEAVERS SUMMARIZES TERM

Beavers, in a summary of his experience on the jury, said this week that the service took much more time than he had anticipated.

The 1949 grand jury handled more criminal complaints than any jury in its history, and the heavy calendar required the businessman who is chairman of the board of Golden State Mutual Life Insurance co., to spend an average of two whole days a week away from his office.

"The experience has been well worth the sacrifice," the juror said today, "and whatever service the jury has been able to render the community justifies the time and effort.

"My association," he added, "with members of the jury has been very cordial . . . Some friendships have been formed which I think will go through the years."

Beavers was chairman of the interim report committee of the jury which, taking cognizance of police scandals of the past few months, recommended last month that the City Council amend the city charter to provide for correction of disciplinary procedures over police officers.

"A serious condition exists when a law enforcement agency, in this case the Los Angeles Police Dept., suffers the loss of the respect and confidence of the citizens it is designed to serve," the report stated.

Among major criminal complaints handled by the grand jury were the Gordon and Glucoft murder cases, among the year's most shocking; the Pyramid Club operations, in which an indictment was returned which reduced such activities here; the Mickey Cohen case; the Brenda Allen case and other aspects of the police scandal. Beavers also served on the criminal complaints committee, several sessions as secretary; the charities and health and the legislation and county offices committees.

Negro Judge Names Grand Jurors in Calif. For First Time

LOS ANGELES. — (ANP) — For the first time in California history a Negro judge nominated persons for grand jury duty last week when Judge Edwin L. Jefferson of the Superior court named two persons to a list of 125 nominees.

Judge Jefferson nominated Mrs. Ethel G. Atkinson, housewife and prominent club leader, and Mrs. Flora Grant of Pasadena.

Two other Negroes also were nominated by white judges. They were Herman Hill, news man, nominated by Judge Frederick F. Houser, and the Rev. Harold M. Kingsley, pastor, Church of Christians Fellowship, named by Judge Robert H. Scott.

Of the 135 nominees will be selected for grand jury duty.

92-Member Panel Combed to Obtain 6 Men, 6 Women

By Howard L. Dutkin
Post Reporter

Mildred Elizabeth Gillars, who was also known as "Axis Sally" during honey-voiced wartime broadcasts for the German radio, heard herself branded in District Court yesterday as "a paid collaborator" of the Nazis.

The charge was hurled by Justice Department Prosecutor John M. Kelley jr., in identifying the case in the courtroom of Federal Judge Edward M. Curran before whom Miss Gillars, now 48, stands accused of treason.

As Kelley continued, declaring that "the defendant knowingly and willfully wove into her remarks official propaganda determined by the Government of Germany . . ." Defense Counsel James J. Laughlin leaped to his feet with the objection that Kelley was going beyond the scope of identification.

After a bench conference, Kelley, dropping allusions to German propaganda, told the court "the Government will undertake to establish that the programs employed by the defendant were of a nature attacking members of the Jewish race, the then President Roosevelt, Prime Minister Churchill and the British people in general."

Prospective jurors were probed deeply for religious and ideological differences before final selection of the panel. Finally selected were six men and six women, among them six Negroes, after a four-hour combing of a 92-member panel of prospective jurors.

Jury Members Listed

Those on the jury are:

Clifton E. Graves, machinist, 2234 Perry st. ne.; Mrs. Carmella G. Alley, housewife, 424 Mississippi ave. nw.; Steward L. Morris, porter, 1637 10th st. nw.; Mrs. Mildred G. Ashton, housewife, 322 Eastern ave. ne.; Mrs. Letitia Burnham, card punch operator, 1815 18th st. nw.; George D. Clark, telephone worker, 939 Longfellow st. nw.

Also Ford H. Flemming, sr., Civil Service Commission employe, 528 Hobart pl. nw.; Norman H. Hedgman, rail mail service clerk, 5212 Ames st. ne.; Mrs. Elizabeth Barker, beautician, 1358 Jackson st. ne.; Mrs. Betsy S. Rose, Treasury Department clerk, 1122 Spring rd. nw.; Mrs. Ethel J. Porter, elevator control operator, 116 R st. ne.; Stanley R. Kane, upholsterer, 627 Croissant pl. se.

Alternates: Henry G. Davis, jr., 114 U st. ne., and Harriet E. Greene, 2509 Cliffbourne pl. nw.

In answer to a series of questions put by Judge Curran, seven venirement declared Jewish faith. None of these was included in the jury as finally selected as the defenses used 19 of its limit of 20 challenges and the prosecution used four, waiving the remaining 16.

Five others who said they opposed capital punishment (treason carries a penalty of from 5 years and $10,000 fine to death) and seven who said they had fixed opinion about the case, were not placed on the final panel.

Curran began the inquisition by instructing the viniremen to stand if they could answer in the affirmative to any of the following questions:

"Can any of you read German?" (two arose.)

"Have any of you ever lived in Germany?" (two arose.)

Quizzed on Organizations

"Have any of you been a member of the following: American Patriots Inc.; Ausland Organization of NSDAP; Association of German Nationals; German-American National Alliance; Citizens Protective League; Dante Alighieri Society; Federation of Italian War Veterans; Friends of New Germany; German-American Bund; German-American Vocational League, or any organization called a German-American organization?" (none arose.)

"Have any of you listened to the German or Italian shortwave radio during the war?" (none arose.)

"Are any of you opposed to the declaration of war by the United States against Germany in December, 1941?" (None arose.)

"Are any of you Jews?" (Seven arose.)

"Are any of you prejudiced in favor of or against Jews?" (None arose.)

"Were any of you for or against the policies of Roosevelt and Churchill?" (None arose.)

"Are any of you prejudiced for or against Englishmen?" (None arose.)

"Have any of you a fixed opinion as to the guilt or innocence of this defendant?" (Seven arose.)

Listen to Winchell?

"Do any of you listen regularly to Walter Winchell?" (8 arose.)

"Do any of you listen to Drew Pearson?" (13 arose.)

Other questions ranged from whether any had seen a movie called "GI Joe" to whether any personally knew Judge Samuel I. Rosenman, one-time adviser to President Roosevelt.

The panel was also quizzed as to membership in the B'nai B'rith, the Anti-defamation League, the Non-Sectarian Anti-Nazi League or any "organized Jewish political group."

At one point Judge Curran cautioned the panel "this case is a serious matter and the defendant is entitled to a fair and unbiased jury . . ."

He suggested that the prospective jurors examine their consciences to see if "any reason suggest-self" wny impartial judgment could not be rendered.

The first Government witnesses expected to be called are Adelbert Houben, now of Huntington, Pa., and Hans Von Richter of California, both identified as former high German radio officials.

Miss Gillars, slim and attractive despite the ordeal of war and imprisonment that turned her once jet-black hair into silver-gray, appeared chastely garbed in a black dress.

A modest necklace was the only jewelry. Her small, still-piquant features carried a minimum of makeup.

Specifically, she is charged with broadcasting a propaganda line under the name of "Midge at the Mike," calculated to make Americans, especially soldiers, feel that the war was a conspiracy against the best interests of the United States at a time when a deadly struggle with the Axis was in progress.

Recordings of several wartime broadcasts allegedly made by Miss Gillars are slated to be played in the courtroom during the trial.

Among the spectators in the courtroom was Mrs. Edna Mae Herrick, of Ashtabula, Omio, half-sister of Miss Gillars. The two women embraced and conversed quietly under the eyes of two deputy United States marshals during a recess.

Following the first day's proceedings, the defendant was led to a police van for her trip back to District jail while a mob of cameramen and the idly curious milled about the exit from District Court.

The trial will resume at 10 a. m. today.

Judith Coplon Found Guilty As A Soviet Spy; Faces Long Sentence

Defense Plans To Appeal Her Conviction

From Wire Dispatches.

Washington, June 30.—A Federal-Court jury today convicted Judith Coplon as a spy for Russia, tolling the word, "Guilty," on both counts of an espionage charge that could send her to prison for 13 years. A $12,000 fine also is possible.

Judge Albert L. Reeves said he would sentence her tomorrow morning.

The sentence will follow arguments on Miss Coplon's continued bail. Neither the judge nor federal attorneys indicated any desire to send Miss Coplon to prison before her second trial, scheduled in New York next month.

Column 3, back page, this section

Mo., said he intended to sentence Miss Coplon tomorrow.

Miss Coplon, 28, a Barnard College girl who graduated with top honors and then became a $4,479-a-year political analyst in the Justice Department in Washington, is under $30,000 bond.

Her second trial is scheduled to start in New York July 11 with her purported Russian sweetheart, Valentine A. Gubitchev, 32, a former United Nations engineer, as codefendant. Gubitchev is free under $100,000 bail posted by the Russian Embassy.

If convicted in New York, Miss Coplon would face a possible maximum sentence of 35 years in prison and a $25,000 fine—over and above the penalty on her conviction today.

Coprosecutor Raymond P. Whearty told newsmen, "We definitely intend to try the New York case."

Appears Very Nervous.

Spectators in the crowded courtroom were hushed and tense as the jury of eight men and four women—six whites, six Negroes—began filing in at 1:33 p.m.

Miss Coplon, whose self-possession has featured the 10-week trial, appeared extremely nervous for the first time. She whispered something to Palmer, and he threw a comforting arm around her shoulder.

Then a deputy marshal cried out, "The defendant will rise!" Miss Coplon, a tiny figure in a trim, green-plaid dress, rose.

"Have you reached a verdict?" asked Paul A. Roser, clerk of the court.

Mother Weeps Hysterically.

Unflinching to the end, Miss Coplon, though nervous, made no outcry or other sign of emotion as the jury delivered its verdict after 26 hours and 58 minutes of deliberation.

Her 65-year-old mother, Mrs. Rebecca Coplon of Brooklyn, who has been in constant attendance since the beginning of the trial April 25, was not present in the courtroom when the verdict was returned.

The mother, a widow, wept hysterically in her hotel room when she learned that her daughter had been convicted.

A reporter who called on her later found Mrs. Coplon being comforted by Judith and the girl's attorney, Archibald Palmer.

"Don't get hysterical. Don't get hysterical," Palmer was saying. "Your daughter's not afraid."

The mother responded in an anguished voice:

"How can I sleep nights? How can I sleep?"

As soon as the verdict was announced, Palmer said he would carry the case to the U. S. Circuit Court of Appeals and, if necessary, the Supreme Court.

Palmer also asked Judge Reeves to postpone sentence until after Miss Coplon's second espionage-conspiracy trial in New York—but Government attorneys objected.

Kelley, Jr. "The Government opposes any delay in imposition of sentence," said chief prosecutor John M. York is mere accusation. We are now dealing with reality."

Kelley's words stung Palmer to a furious outburst.

"They've got their pound of flesh," the defense lawyer shouted bitterly. "Do they want the blood with it?"

Palmer told Judge Reeves that, once sentence is pronounced, Miss Coplon's bond will be revoked and she will have to go to jail. He said she could not raise a new bond.

But Judge Reeves, 75-year-old visiting jurist from Kansas City,

Testimony Transcript Over 2 Million Words

Washington, June 30 (AP)—It took about 2,100,000 words to record the Judith Coplon espionage trial. The official transcript spreads over 8,400 pages.

The transcript cost the Government a pretty penny. Under a fee schedule fixed by the Federal Courts here, the Government paid 90 cents a page for the transcript which went to Government prosecutors, and 30 cents a page for a copy for the defense. That adds up to more than $10,000.

court.

"We have," replied Foreman Andrew H. Norford, 34, a telephone-company employee.

Guilty On Both Counts.

"How say you as to count one?"

"Guilty," the foreman said firmly.

"How say you to count two?"

"Guilty."

Count No. 1, carrying a possible sentence of 12 years and a $10,000 fine, accused her of stealing Justice Department secrets "with intent" to injure the United States and aid a foreign power, Russia.

Count No. 2, with a maximum penalty of three years and a $3,000 fine, said merely that Miss Coplon unlawfully removed confidential papers from Government files. 7-1-49

When the vital words had been spoken, Miss Coplon slowly sat down, cupped her chin in hand, and stared at the jury. There was neither bewilderment nor anger in her glance, but rather what seemed to be calm acceptance.

Poses With Attorney.

Later, on the Courthouse steps, she posed with Palmer for half an hour for photographers.

"The only thing I can say," Miss Coplon said dully, "is what I have always said—that I'm innocent."

About 500 spectators crowded around Miss Coplon. Palmer told them:

"Judith Coplon told you people yesterday she is innocent. Today the jury found her guilty. No battle is lost in one round. We are taking an appeal to the Circuit Court of Appeals. I know she is innocent."

FIVE JURORS HEARING AXIS SALLY'S CASE ARE COLORED

The Iowa Bystander, Des Moines, Iowa 2-3-49

Washington, D. C. (NNPA)—Five of the twelve jurors hearing the case of Miss Mildred E. Gillars, known as "Axis Sally" because of her wartime broadcasts from Germany, are colored. 22 Thurs. 2-3-49

Six of the twelve jurors originally selected to try Miss Gillars were colored, but one of them was excused last Tuesday. She is Mrs. Elizabeth Barker, operator of a beauty shop at 2713 Georger avenue northwest.

Judge Edward W. Curran, who is presiding over the trial, substituted an alternate juror, Henry G. Davis, Jr., for her after asking her if she had not told the jury clerk last Tuesday morning that she was opposed to the death penalty. 22

The colored members of the jury are: Ford H. Flemming, Sr., 42, 528 Hobart place northwest, Civil Service Commission employee; Norman H. Hedgeman, 57, 5212 Ames street, northeast, railway mail service clerk; Steward L. Morris, 43, 1637 Tenth street northwest, a porter; Mrs. Lotitia J. Burnhom, 43, 1815 Eighteenth street northwest, a Census Bureau card puncher, and Mrs. Ethel J. Porter, 116 R street northeast, elevator control operator. Thurs. 2-3-49

Mrs. Barker said she had not mentioned her feeling Monday, January 24, because this was the first time she had served on a jury.

Miss Gillars is on trial on treason charges.

Associated Press Wirephoto.

"I AM INNOCENT" . . . Judith Coplon speaks into a microphone to deny her guilt after being convicted as a spy.

Negro Jurist Courier-Journal May Land U.S. Judgeship

Louisville, Ky. Oct. 9-15-49

Washington, Sept. 16 (U.P.)—Judge William H. Hastie, Negro scholar and jurist, was reported today by well-informed persons to be President Truman's choice for a Federal Circuit Court judgeship in the Third District.

The district embraces New Jersey, Pennsylvania, Delaware, and the Virgin Islands. Hastie was a Federal district judge in the islands from 1937 to 1939 and has been Governor there since 1946.

Is Phi Beta Kappa.

Hastie is a Phi Beta Kappa and graduate of Amherst and Harvard. From 1930-37 he was a member of the faculty of Howard University here and became dean of its school of law in 1939. From 1933 to 1937 he was assistant solicitor of the Interior Department and from 1940-42, a civilian aide to the Secretary of War.

He is listed in Who's Who as a vice-president of the National Lawyers Guild. The House Un-American Activities Committee in 1944 cited the guild as "a Communist-operated front organization" and named Hasties as a guild official.

Link to Communists Charged.

"The National Lawyers Guild has faithfully followed the line of the Communist Party on numerous issues," the committee said, "and has proven itself an important bulwark in defense of that party, its members and organizations."

The report called Hastie an associate of several other organizations held to be Communist-dominated or Communist fronts.

Floridian Serves On Murder Jury For White Man

DEERFIELD BEACH, Fla.—Last week in the Circuit Court of the Fifteenth Judicial District and in Broward County, J. A. Ely, a school teacher, became the first Negro in the history of the county to serve on a jury that tried a white man for first-degree murder.

Mr. Ely, together with Charles Thomas, Jacksonville, was successful in having the first air-conditioned coach for Negroes run between New York and Miami over the Atlantic Coast Line and Florida East Coast Railways.

He made a similar request to the Seaboard Air Line Railway to have the Palmland, one of its deluxe trains, carry the first air-conditioned coach for Negroes between New York and Miami.

Five Negroes To Serve On Grand Jury In Florida

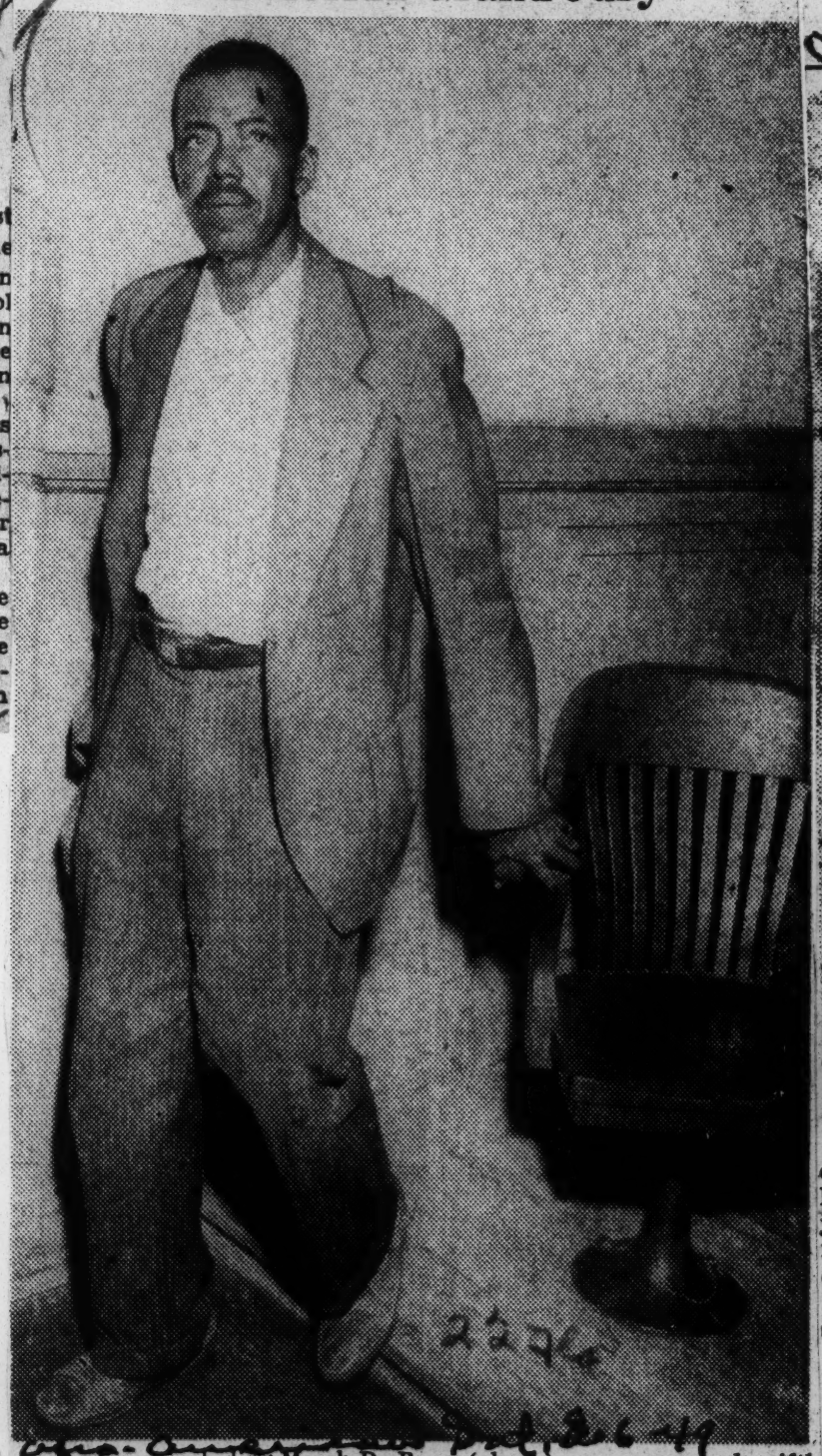
FORT MYERS, Fla. — (INS) —Five Negroes will be among 30 men from which the Lee County Grand Jury will be chosen Thursday to hear testimony in the confessed fatal shooting of a Negro tenant by a white real estate agent.

Negroes have been summoned for jury duty in the county before but have never served.

The white realtor, R. W. Randell, has admitted shooting the Negro tenant, Theodore Sams, February 1 in the Negro section of Fort Myers. Randell was collecting rent.

Randell was acquitted several years ago on charges of killing his first wife in Georgia.

On Florida Grand Jury



A grand jury including March De Bose, (above), was summoned swiftly in Groveland, Fla., to indict three colored men accused of rape. Nothing yet has ben done, however, about the burning of homes and other acts of terrorism by whites against colored which followed the alleged rape.

First of Race On Florida Grand Jury

March DeBose, first member of his race ever to serve on a Florida grand jury, leaves the jury box after an indictment was returned against three Lake county colored men for rape on July 20. The crime stirred up a wave of terror[illegible] until Gov. Fuller Warren [illegible] out the National Guard. A fourth man also accused by a housewife with the other three, was killed by a posse near Perry, Fla., on July 26. A county sheriff said he was definitely identified as one of the four who raped the woman.

PURSUIT OF DEMOCRACY

Coplon Trial Disproved Fallacious Rumors About Racially Integrated Juries

By MARJORIE McKENZIE

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier—The Editors.)

Pittsburgh, Pa.

NOW that the verdict has been returned in the Judith Coplon espionage case, it is appropriate to comment on the composition of the jury, as well as on how it acted and how it might have acted. Although an appeal certainly will be taken, as the fact now stands Miss Coplon has been found guilty by a jury of her peers.

M. McKenzie

That jury included six Negroes, four of whom were women. Yet little was said of its racial composition in the daily press. To realize the significance of this we need think back only to January when the nation's newspapers were agog over the inclusion of Negroes in the jury finally chosen in the trial of the eleven Communist leaders.

Part of the excitement was due, of course, to prior charges of exclusion from Federal jury panels in New York. I make no comment now as to whether the challenge gave rise to altered procedures, but merely point out that the presence of Negroes on a jury in a subversive trial was considered headline worthy. And, though the fact that Negroes constitute about thirty per cent of the total population of Washington makes their presence on juries there inevitable, I think we may still see a sign of maturity on the part of the daily press for having played down a matter which so recently has been of gripping interest.

ANOTHER ITEM OF significance in the Coplon verdict is that, contrary to rumored expectations in many quarters in Washington, the six Negroes on the jury joined unanimously with their six white colleagues in a finding of guilty.

The philosophy behind the theory that Negroes might well refuse to convict for subversion is based on their aggression against the white society and their alleged desire for indiscriminate retaliation. No better opportunity to punish their aggressors could be found than in a situation where they could reward an individual also pitted against that society.

No identification with Judith Coplon or her cause would be necessary; the realization of being arrayed against a common enemy supposedly would be enough.

THERE WERE SEVERAL fallacies behind the rumor that a jury, half Negro, would set Judith Coplon free. The most obvious one is that Negroes are so warped by their racial experiences that they cannot or will not react normally as American citizens in a loyalty case.

Aggression we may have, which finds its outlet among different economic groups and at different intellectual levels, in different ways. Whatever the extent of our aggression, whether sublimated in programs of democratic advance, whether turned inward against ourselves or outward against those who deny us, it is in the nature of a reservation on our Americanism rather than a fundamental defect in it.

We consider ourselves citizens. This is the premise on which we base our protest and our struggle. And from this vantage point most of us are able to act objectively and with integrity toward our duties as citizens.

* * *

ANOTHER FALLACY IN the whispered predictions and half-smiles that preceded the Coplon verdict is the failure of the sidewalk philosophers to recognize that attitudes are related to the individual's position in the social and economic order.

This was a middle-class jury, but the rumor-mongers were anticipating an unsheathed lower-class response. A middle-class group has a passion for being correct because it has something to lose and something to gain.

Above all, it has a healthy sense of belonging. I agree with the Washington Post that the performance of the Coplon jury should renew our confidence in the jury system as a useful part of our legal fabric. And a racially integrated jury, like anything else that is integrated and democratic, is simply a cross-section of America.

Negroes Win Public Offices, Jury Posts in Fight for Rights

Gains in the fight for civil rights are being made everywhere in the South, with more Negroes sitting on juries, winning new schools, and Negro candidates elected to office. In Louisville, Ky., Jesse Lawrence, a Negro, was elected to the state legislature. A Negro will sit in the Richmond City Council. He is Oliver W. Hill who was elected to that body during recent elections. Two Negro justices of the peace, James A. Jackson and Harold Stewart, were also elected in Virginia.

Reports, yet unconfirmed, are that W. W. Jackson, a Negro citizen of San Antonio, Tex., won a seat in that city's municipal council. There were many other Negro citizens running in the recent elections in the South. Several of them made good showings in spite of Klan threats and Dixiecrat propaganda.

During the past several months more Negroes all over the South are reported sitting on juries. Latest reports of Negroes sitting on juries include—another first—a Negro woman, Mrs. Florence Jones Dixon. She served on the Duval County Jury in Jacksonville, Fla.

A Negro laborer, Henry Newton, was selected to sit on a jury in Sarasota, Fla. For the first time in Davidson County, Tenn., a Negro, Floyd Gowan, 29, sat on a criminal court petite jury. He is the first Negro ever named on a regular jury panel in this county.

Negroes Drawn For Floyd Juries

Atlanta, Ga. Journal

ROME, Ga., Oct. 19.—(AP)—Names of Negro citizens have been included in the jury box in Floyd county for the first time since reconstruction days, more than 75 years ago.

Two Negroes were drawn for jury duty this week for service in criminal trials in Floyd Superior court.

Not since the Negroes of the South were freed from slavery have they served on Georgia court jury panels until a recent ruling handed down by the State Supreme court when it was decided that they no longer could be disqualified. Negroes, however, have served on federal jury panels in U. S. District courts in Georgia for a number of years.

The Supreme court said, in effect, that no Negro defendant could be convicted by a jury on which a Negro had been barred systematically. The recent ruling was handed down after a test case.

Judge H. E. Nichols afterward ordered the jury revisors in each county comprising the Rome judicial circuit to include a proportionate number of Negro citizens in the jury box to be drawn with the eligible whites for jury service. He said that Floyd, Chattooga and Walker counties had complied with the order.

While announcing the jurors for next week's trials, Solicitor W. T. Maddox said that Judge Nichols had granted an extension for the October term of court to dispose of a large number of jail cases which would not otherwise be heard before January.

3 Negroes Serve On Fulton Juries

Atlanta, Ga. Constitution

Three Negroes were serving on juries in Fulton Courts yesterday. Two were on a jury involving whites and one on a jury involving Negroes. Single Negroes have served on juries before, but Court attaches do not remember three serving at the same time.

The Negro jurors were Adam Stanfield, of 66 Gammon Ave.; Charles Green, of 370 Cairo St., and C. G. Ezzard, 97 Little St., South.

In Rome, according to the Associated Press, Negroes were included in the jury book in Floyd County this week for the first time in 75 years.

Now For Negroes On Juries

Georgia Supreme Court Justices ruled Wednesday that counties in Georgia having substantial Negro populations must put Negroes on their grand and traverse jury lists. Indeed, the court went a step further and said: "This court is compelled to follow numerous decisions of the United States Supreme court that it is illegal to try a Negro without some member of his own race being," not in the jury lists but "on the trial jury."

Daily World

The decision, though not entirely new, since that issue was raised as far back as the celebrated Scottsboro case and kept to the fore in succeeding years by the National Association for the Advancement of Colored People, in Georgia the issue has been given new emphasis and focus by Dan Duke, who finds that of the state's 159 counties, well over 100 of these counties have no Negroes on their juries.

The language of the decision is classic and the intent is all-inclusive. In a literal sense it means exactly what it says: "Whatever may be the individual opinion of the members of this court as to the correctness, soundness, or wisdom of these decisions," wrote Associate Justice William Atkinson, "it becomes our duty to yield thereto, just as other courts in this state must accept and be controlled by the decisions of this court.

Atlanta, Ga.

Concluding, the decision warns: "This being a Government by law and not by men, jury commissioners in their official conduct are bound by the foregoing ruling of the Supreme Court of the United States, notwithstanding any personal opinions, hereditary instincts, natural impulses or geographical traditions to the contrary."

We repeat, the decision means what it says. And now it is up to the offending counties in the state to see to it that Negroes serve, not just called and turned down. The decision means more than that, it means not just a token number of Negroes on grand and traverse juries, but a proportionate number, in proportion to the Negro population ratio in the county.

July 7-15-49

Thus, as in the case of John Crumb, these counties can spare themselves the embarrassment of having their offenders freed by default because they denied them their constitutional privilege of having them tried by members of their own race. Of course Negroes, facing the same fate as Crumb will take advantage of this new ruling by the Supreme Court. They are entitled to be judged and tried by members of their own station in life, people who eat and sleep with them and whose families attend the same churches and schools and other face to face groups together.

We applaud the decision and commend the courage of the Justices who made it. As far as we know, it constitutes the most eloquent definition of justice and fairplay for Negroes by a State Court in recent years in the South.

Negro Jurors Used On Fulton Panels

Atlanta, Ga. Daily World

Journal 10-20-49

BY ROBERT E. JOHNSON

For the first time in modern history, two Atlanta Negroes were included in a 12-man jury panel Wednesday in the civil division of a Fulton County superior court during a trial involving a white plaintiff and defendant, while another was impaneled with 11 white jurors at a civil court hearing involving Negroes.

The Negro jurors were Adam Stanfield, of 66 Gammon Avenue, shipping department employee of the Atlanta Pilgrim Shop, and Charlie Green, of 370 Cairo Street, N. W., mail truck driver, who were impaneled at the hearing of Mrs. Amy P. Clark versus J. R. Flannagan, both white, before the Honorable Frank A. Hooper, presiding judge C. G. Ezzard, of 97 Little Street, S. E., local mail carrier, saw jury service during the trial of Willie Taylor versus H. L. Greenwood.

Journal 10-20-49

Although the names of Negroes are listed on the petit and grand jury lists and are often drawn for jury service, they have been excluded from actual service except in the case of those Negroes who have served on the Fulton County Grand Jury.

Negroes have also been known to be impaneled for jury service in the federal courts but none in recent times have been known to have served in the Fulton courts, courthouse officials observed.

The impaneling of the three Negro jurors marks the first time that Negroes have been given jury duty since the Georgia Supreme Court rendered a unanimous decision on July 14, holding that counties with a substantial Negro population must put Negroes on their jury lists.

A Mixed Georgia Jury Acts on Mixed Cases!

Atlanta, Ga. Daily World 8-29-49

ATLANTA, Ga.—Fulton Superior Court saw new things last week when Negroes served with whites on several trial juries.

Although names of Negroes had been on jury lists for some years, it was perhaps without precedent last week that they were chosen and sat with whites on cases involving both Negro and white principals.

They had served through the years on Federal District Court grand and petit juries in Atlanta, however. The Fulton Court seemed to be carrying out the mandate of the Georgia Supreme Court last July 14 that Negroes must be put on jury lists in coounties where they are in substantial population.

Negroes On The Jury Panel

News that Negroes, were included to serve in the civil division of the Fulton County superior court during a trial involving a white plaintiff and defendant, while another was impaneled with 11 white jurors at a civil court hearing involving Negroes marked another step of advancement in the field of legal procedure.

The fact that Negroes have appeared for jury duty is nothing new, not even in this state. But it is the first time that they have been given the opportunity to serve on the panel in the civil division in a Fulton County superior court.

The interest on the part of Negroes to take part in jury service in this state, has long been maintained. The fact that the force of political pressure, growing out of tradition, has hampered progress in many ways, not only in the case of Negroes, but also in the case of whites.

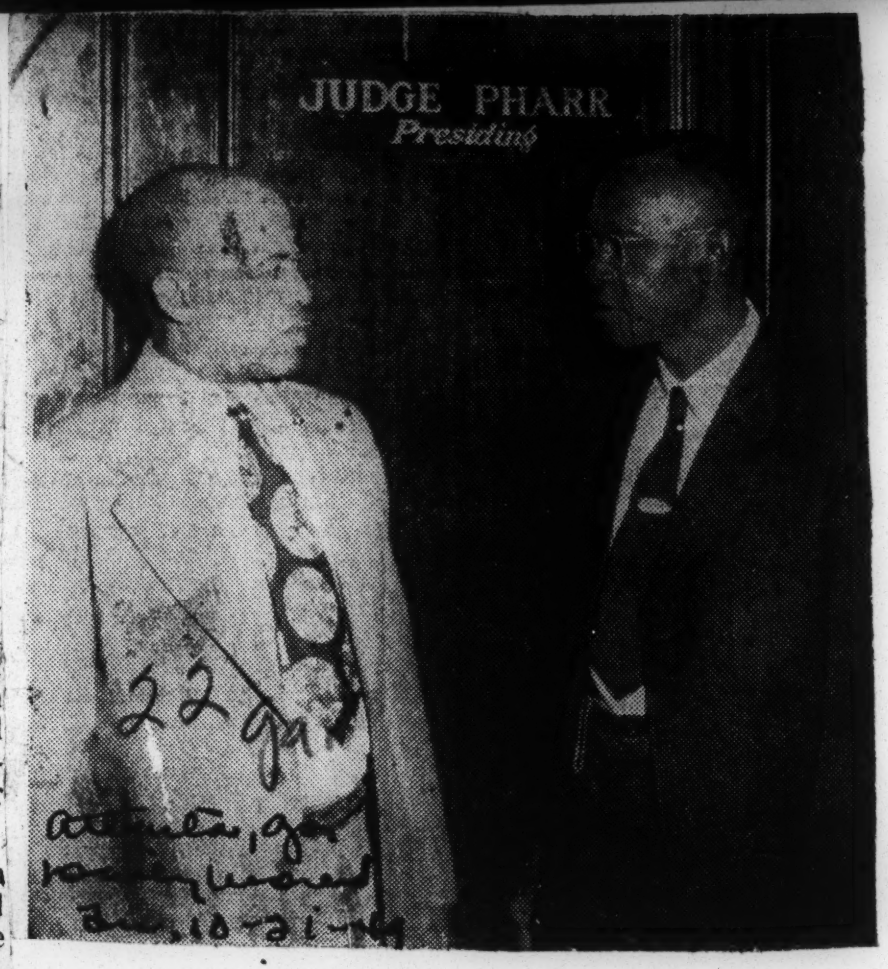
The excuse given by some of the courts in the past has been that both the prosecution and the defense have been prone to strike the names of Negroes from the panel. In other instances, the claim is that, it has been a tendency on the part of some Negroes to shirk jury duty. Substantial sources reveal however, that the so called "purge list" process has been the most damaging in regard to those wanting to serve.

However, as we become more and more advanced in our political and economic thinking, our community as well as courts are getting a higher calibre of men who are more prone to think in terms of the worth of the community, rather than on the basis of racial or political factions. More and more the emphasis is being placed on the worth of the individual and not on the basis of his race.

Time and education have done a lot to eliminate selfish interest and racial animosity.

The news of Negro jurymen should be taken in stride along with many other advancements brought about in recent years. Mr. Adam Stanfield of 66 Gammon Avenue, Mr. Charlie Green of 370 Cairo Street, N. W., Mr. C. G. Ezzard, 97 Little Street, S. E., should be congratulated as pioneers in a situation that will eventually bring about greater good in a great community.

The fact that those who are being governed by the law will eventually be in the position to help make the law, is becoming more and more a reality.



FIRST IN MODERN TIMES -- Impaneled in the jury box of the civil division of a Fulton County Court this week are two Atlanta citizens. With the main entrance to Judge Ralph Pharr's court in the background, Charlie Green (left), of 370 Cairo Street, N. W., mail truck driver, chats briefly with his juror companion, Adam Stanfield, of 66 Gammon Avenue, shipping department employe of the Atlanta Pilgrim Shop. The two jurors were impaneled with 10 white jurors during a civil court hearing involving a white plaintill and defendant. — (W. A. Scott III Photo).

GEORGIA TRIAL STAYED OVER NON-NEGRO JURY

New York New York

(LUDOWICI, Ga., April 3 (UP) — Judge Mel Price of the Atlantic Circuit Court, ruled today that a Negro could not be tried for murder at the current term because members of that race had been deliberately excluded from the jury lists.

R. B. Harris, charged with the slaying of another Negro, Harley Daniels, was released on bond, and his case will not come up again until September.

Meanwhile, Judge Price ordered the jury lists revised. He upheld Harris' lawyer who contended that the panel of jurors was illegally drawn because of the exclusion of Negroes. Members of the jury commission testified at a hearing that Negroes were arbitrarily struck from the lists in 1948.

Long County, of which this city is the seat, has a 40 per cent Negro population.

Judge Price held that, under the Constitution, a person cannot be excused from jury service on account of his race. He pointed out that Negroes had served on the juries in adjoining counties.

"The Court cannot but hold that the Long County jury revision of 1948 was illegal; that the Negro race was excluded on account of color," he ruled. "The Court sustained the challenge of the defense and orders a revision of both the grand and petit jury lists at a date to be set by the commission."

Georgia Judge Rules On Negro Jurors

Birmingham News Birmingham Ala.

LUDOWICI, Ga., April 5—(AP)—A Georgia judge has ruled that Negroes cannot be excluded from Grandy Jury duty.

The jurist, Superior Judge Melvin Price, Saturday ruled that the jury list for Long County was void. He ordered a new list prepared to include Negroes.

The ruling came in the case of R. B. Harris, Negro, charged with the murder of another Negro, Harley Daniels, Jan. 5.

Judge Price said that under the U. S. constitution the exclusion on grounds of race alone clearly was illegal. Tues-4-5-49

The judge also pointed out that the Georgia Supreme Court had ruled in the past that Negroes could not be barred from jury duty except for reasons other than color.

Put Negroes On Jury Lists.

Court Rules

Constitution Atlanta, Ga.

Georgia counties with large Negro populations must place Negroes on jury lists, under a far-reaching opinion handed down by the State Supreme Court yesterday.

The decision, which followed U. S. Supreme Court precedents, said Negroes must be permitted to serve on both grand and traverse jury lists in Counties where many of the citizens are Negroes.

The case involved Joe Crumb, who appealed his conviction, charging that he was deprived of his Constitutional rights by the "purposeful exclusion" of Negroes from jury duty "solely on account of race." Thu. 7-14-49

Dan Duke, Crumb's attorney, contended that this was in violation of "due process" and "equal protection of law" clauses of the 14th Amendment to the United States Constitution.

Evidence was presented to show that more than 50 percent of Early County's population was composed of Negroes and Negroes made up nearly one-third of the County's tax digest.

The evidence also included testimony from the Early County Clerk of Superior Court, Chairman of the Jury Commissioners and Sheriff that no Negro had ever served on a jury in that County in 40 years.

In deciding in favor of Crumb, the Supreme Court cited as precedents similar United States Supreme Court decisions in cases from Delaware, Alabama, Louisiana, Texas and Mississippi.

"This being a government of law and not by man," the decision read, "the jury commissioners in their official conduct are bound by rulings of the Supreme Court of the United States, notwithstanding any personal opinion, hereditary instinct, natural impulse or geographical tradition to the contrary."

Negroes Placed On Jury Lists

Advertiser Montgomery, Ala.

ATLANTA, July 13—(AP)—For the first time since the post-Civil War reconstruction days, Negroes today were given places on Georgia's jury lists.

The State Supreme Court ruled that a Negro, John Crumb, is entitled to a new trial because Negroes were barred from the jury panel. Thu. 7-14-49

Crumb was convicted by an all white jury in Early County for pointing a pistol at another.

After pointing to a series of opinions by the U. S. Supreme Court, the state's high court observed:

"Whatever may be the opinion of members of this court as to the correctness, soundness or wisdom of these decisions, it becomes our duty to yield thereto. 7-14-49

"This being a government by law and not by men, jury commissions in their official conduct are bound by the foregoing ruling . . . notwithstanding any personal opinions, hereditary instincts, national impulses or geographical conditions to the contrary."

Georgia Court Rules Negroes Names Must Be On Jury Listings

Birmingham News Birmingham, Ala.

ATLANTA, July 14—(AP)—Georgia counties with heavy Negro populations must place Negroes on jury lists, the state Supreme Court ruled.

Basing its opinion on decisions of other states and the U. S. Supreme Court, the Georgia court yesterday declared: Thu. 7-14-49

"Whatever may be the opinion of the members of this court as to the correctness, soundness or wisdom of these decisions, it becomes our duty to yield thereto.

"This being a government by law and not by men, jury commissioners in their official conduct are bound by the foregoing rulings . . . notwithstanding any personal opinions, hereditary instincts, natural impulses or geographical conditions to the contrary." 7-14-49

The ruling came on an appeal of a Negro, John Crumb, convicted by an all-white jury of pointing a pistol at another Negro. The high court ordered a new trial because Negroes were barred from the jury panel.

Unanimous Opinion Voids Crumb Conviction

Daily World Atlanta Ga. Thu. 7-14-49

The Georgia Supreme Court Wednesday in a unanimous opinion voided the conviction of John Crumb, Early County resident, on a charge of pointing a pistol at another.

The opinion was written by Associate Judge William Y. Atkinson and in forceful language held that counties with substantial Negro population must put Negroes on their grand and traverse jury lists.

Crumb was indicted in January, 1948, by a grand jury in Early County. His case was transferred from Superior Court to the City Court of Blakely for trial and his conviction came on February 22 1949.

At the time of the trial Crumb's defense attorney filed a plea of abatement, a motion to quash the indictment, and a challenge to the array of jurors. 7-14-49

RULES ON CHALLENGE

The Georgia Supreme Court ruled only on the challenge of the array of jurors. In carrying the plea before the High Court, it was pointed out that jury commissioners for a period of 30 years had placed only members of the white population on jury lists, and there was a large per cent of the population of males over 21, and on the tax digest, who were competent and qualified but had been purposely and expressly excluded there from solely on account of race.

The 1940 census of Early County revealed a population of 9074 whites and 9614 Negroes; over 21 years of age were 2488 whites and 2250 Negroes and on the tax digest 2600 whites and at least 1000 Negroes.

Court records show that the chairman of the jury commissioners testified: "I take the names of persons who I qualify and certify as jurors from the books of the tax digest. . . . we have looked through them, but as I understand our duty we never thought any Negro citizen in the town qualified for grand jury or petit jury. . . ."

The High Court held:

(1.) The State failed to justify such an exclusion as having been brought about for some other reason than racial discrimination;

(2) The State wholly failed to meet the very strong evidence of purposeful racial discrimination;

(3) When a jury selection plan, operates in such way as always to result in complete and long continued exclusion of a large group of Negroes, or any other racial group, indictments and verdicts cannot be returned.

MUST YIELD THERETO

The opinion held: "Whatever may be the individual opinion of the members of this court as to the soundness or wisdom of these decisions it becomes our duty to yield thereto, just as other states.

"This being a government of law and not by men, the jury commissioners in their official conduct are bound by the foregoing rulings of the Supreme Court of the United States notwithstanding any personal opinion, hereditary instinct, natural impulse, or geographical tradition to the contrary.

The case was carried to the High Court by Atty. Daniel Duke.

Duke cited the case as a violation of Crumb's rights under the equal protection clause of the Fourteenth Amendment of the United

NEGRO WINS GEORGIA CASE

Journal

State High Court Rules Race Should Be on Jury Lists

Thurs. 7-14-49

ATLANTA, July 13 (AP)—For the first time since the post-Civil War reconstruction days, the right of Negroes to places on Georgia's jury lists was affirmed today.

The State Supreme Court ruled that John Crumb was entitled to a new trial because Negroes were barred from the jury panel. The defendant was convicted by an all-white jury in Early County for pointing a pistol at another.

After referring to a series of opinions by the United States Supreme Court, the State's high court said:

Georgia

"Whatever may be the opinion of members of this court as to the correctness, soundness or wisdom of these decisions, it becomes our duty to yield thereto?

"This being a Government by law and not by men," the decision continued, "jury commissioners in their official conduct are bound by the foregoing rulings, notwithstanding any personal opinions, hereditary instincts, natural impulses or geographical conditions to the contrary."

The court said that about 50 per cent of the males more than 21 years old and 33 per cent of the persons on the tax digest in Early County were Negroes but that none were on the jury lists.

Since the state made no justification of their exclusion, the court said:

"There is established a violation of rights under the equal protection clause of the Fourteenth Amendment to the United States Constitution."

Decline In Southern Manufacturing Employment Enters Ninth Month

Daily Worker
Atlanta, Ga.

Total manufacturing employment in ten Southern States dropped 28,000 from April to May marking the ninth consecutive monthly decline according to Brunswick A. Bagdon, Regional Director of the U. S. Bureau of Labor Statistics in the South Employment in the durable goods industries declined 13,600 while non-durable goods employment fell 14,700. The ten state total dropped 1.4 percent as compared to a 2.1 percent decline in national totals.

The ten states reported 1,954,900 factory workers in May 1949, a reduction of 7.4 percent from the level of 2,110,900 prevailing a year ago. Nationally, manufacturing employment fell 5.5 percent during the same period. Thu. 7-14-49

Accompanying the decline in employment, average weekly hours worked in manufacturing establishments reflected a further downward drift in four of the states, with one indicating no change and another reporting an increase. In the six states for which these data are available the length of the average workweek in May varied from 34.7 hours in North Carolina to 43.1 hours in Florida. The national average was 38.6 hours.

Thu. 7-14-49

Employment in textile mills in the ten states declined 6,600 or 1.5 percent between April and May, as compared to a 3.1 percent drop the previous month. The indsutry continued to be affected by a weak market. Reduced employment was reported for each of the states in which textile manufacturing is an important industry. North Carolina and Georgia accounted for 4,600 of the total decline.

Lumber and furniture employment was lower in May dropping 6,000 under the April level. While six states indicated further losses, slight increases were noted in Alaba

that the cross-burning was a Ku Klux Klan project, although a burned cross was found on the university's experimental farm earlier in the week. 7-14-49

Some sources, however, lay the cross-burning incidents to the fact that the university began admitting Negroes for the first time to its graduate schools this summer.

Three Negroes Serve On Macon, Ga., Jury

MACON, Ga., Oct. 6 (AP)—Three Negroes served on a trial jury yesterday for what officials said was the first time in a state or local court in Macon. Thu. 10-6-49

Negroes frequently have served on grand juries. They are called often for trial jury service but lawyers usually strike their names.

The three, S. H. Lee, Langston Bland and Albert Coley, served on a 12-man jury deciding a contested divorce.

Georgia Negroes Ruled Entitled to Jury Duty

Atlanta, July 13 (AP)—The Georgia Supreme Court ruled today that Georgia counties with substantial Negro populations must use Negroes on the grand and traverse juries.

The high court pointed out that it is compelled to follow numerous decisions of the United States Supreme Court that it is illegal to try a Negro without some member of his own race being on the trial.

Negroes in the Jury Box

For more than a week now we've been watching the sky. Atlanta, Ga. Constitution

It hasn't fallen.

Daily we have watched the wire reports of the various press associations for accounts of riots or revolutions.

There has been none. 10-16-49

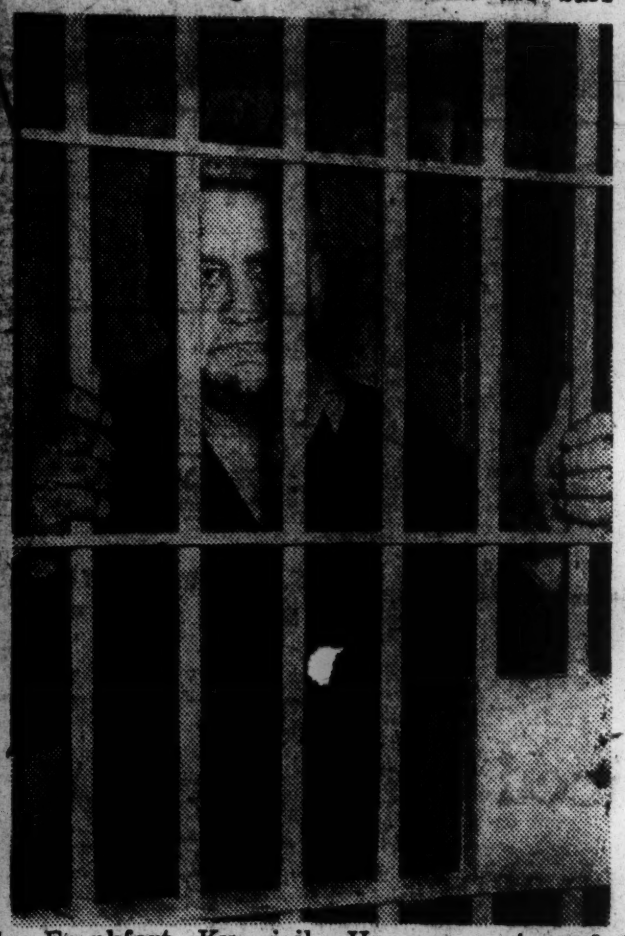
Macon and Middle Georgia, in short, seem to be going unconcernedly on their way despite the fact that, for the first time in the city's history, Negroes—three of them—served on a Bibb County jury.

We understand they did a good job of it, too. Not that there was any reason to suppose they wouldn't. They've been serving on Federal juries in Georgia for years.

All We Want Is Justice

If you are in jail it does not make any difference what jury put you there.

Here is George Adams behind the bars in



the Frankfort, Ky., jail. He was sentenced to three years by an all-colored jury on charge of shooting and killing one man and wounding that man's brother.

His white attorney asked for an all-colored jury. The attorney thought that a jury so composed would be more sympathetic with Adams than an all-white jury.

If we are going to have all-colored juries for colored criminals and all-white juries for white criminals, are we going to have mixed juries for cases in which the plaintiff and defendant are mixed?

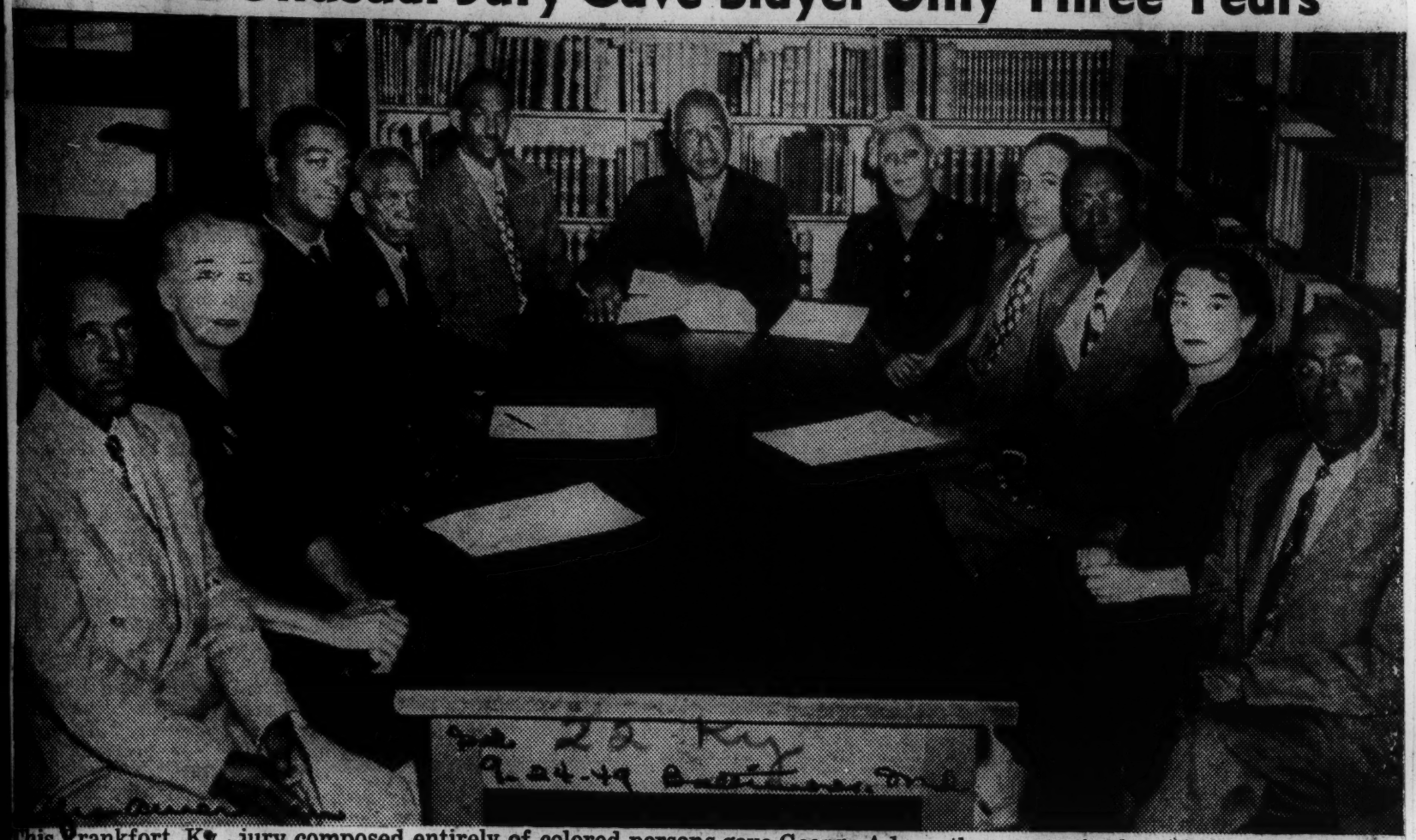
Another example of twisted thinking on this subject comes from Arkansas, where a Pulaski Circuit Court judge sentenced a defendant in a killing case to only ten years because he (the judge) refused to accept the State's contention that the crime was premeditated.

Two men had an argument during a dice game. Twenty-five minutes later, one of them returned with a shotgun and killed the other. In rejecting the contention that the lapse of time made the crime one of premeditation, the presiding jurist said that this might be the case were the defendant a white man, but colored people need "more time to cool off."

This leaning-over-backwards attitude, obviously well-intentioned, makes us shudder to think of what might happen to others faced with similar threats of violence. We have seen far too many instances where the lives of colored persons have been "played cheap" through too much leniency on the part of the magistrates and judges.

We are entitled to full protection under the law. Cases such as this, however, indicate all too clearly that we don't always get it. There should be no double-standards of justice.

This Unusual Jury Gave Slayer Only Three Years



This Frankfort, Ky., jury composed entirely of colored persons gave George Adams three years in the killing of a white man, Ransom Maddox. Left to right, Henry Clelland, Mrs. George Hughes, Cecil Warren, Mack Miller, Burl Tillman, B. F. Spencer, foreman; Mrs. Lucian Taylor, Armour Blackburn, W. W. Jones, Mrs. Ernest Woolridge, Richard Robinson, George Graham, 12th juror, is not shown.

The Jim-Crow Jury

IT is a far cry from barring Negroes from juries to selecting juries composed entirely of Negroes.

That's what was done a short time ago in Frankfort, Ky., and we don't want it to happen again because it might start a dangerous trend.

The all-Negro jury selected convicted George Adams, colored, for killing a white man, after four hours' deliberation, and he got three years in prison.

We believe that there should be no distinction based on color or creed in selecting juries, and when this is done something is being started which may well give ideas to people in other parts of the country, notably in the South, which would only be another manifestation of racial segregation.

Once this idea gets abroad we shall have white juries and black juries instead of white-black juries.

An accused person should be tried by a jury of his peers not by a jury of his color or some other color.

We don't want any more segregation based on color whether it is old-fashioned or newfangled.

All-Negro Jury Sets Precedent In Frankfort, Ky.

FRANKFORT, Ky. — An all Negro jury, setting a precedent for the state of Kentucky, decided the fate of a white man, charged with killing a Negro.

The jury found George Adams white, guilty of a voluntary manslaughter charge, and dished out a light three-year sentence, for killing Ransom Maddox, Negro world war veteran.

Adams claimed self-defense in the April 4 shooting of Maddox, in which Maddox's brother was also wounded.

The jury had been selected when defense attorneys presented the unusual request that Negroes be placed on the panel to try the white man.

All-Negro Jury Convicts Slayer of Ky. White Man

(Read an editorial: "The Jim-Crow Jury"... turn to editorial page.)

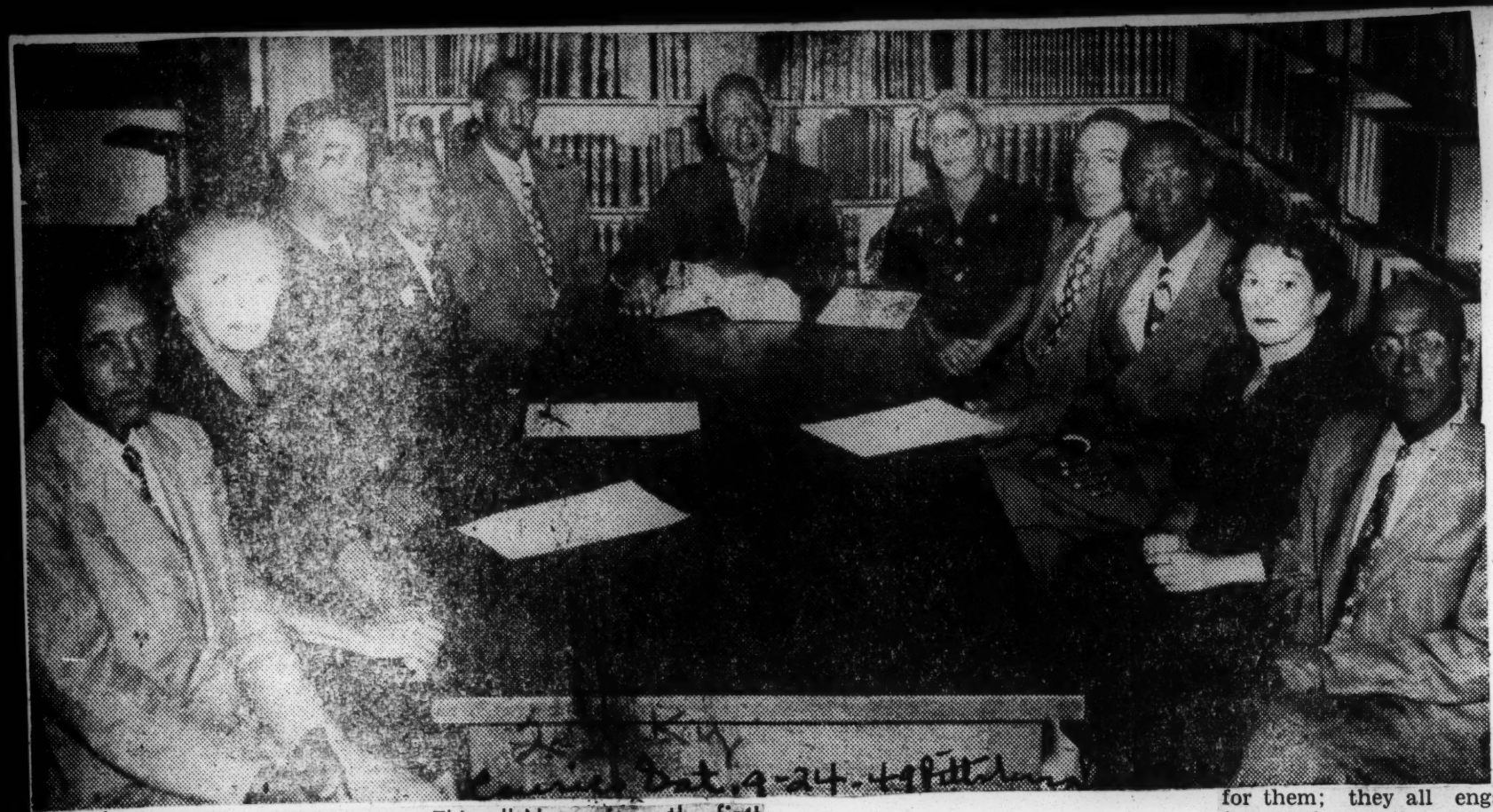
FRANKFORT, Ky.—(ANP)—An all-Negro jury, first to sit here to try a Negro, found George Adams, 50, guilty of voluntary manslaughter in the slaying of a white man last April 4.

The jury deliberated four hours before it rendered the guilty verdict and a three-year prison sentence.

Adams claimed self-defense in the fatal shooting of Ransom Maddox and the wounding of his brother, Mitchell. The two men had gone to a barn on the farm where Adams worked to ask him to train a horse.

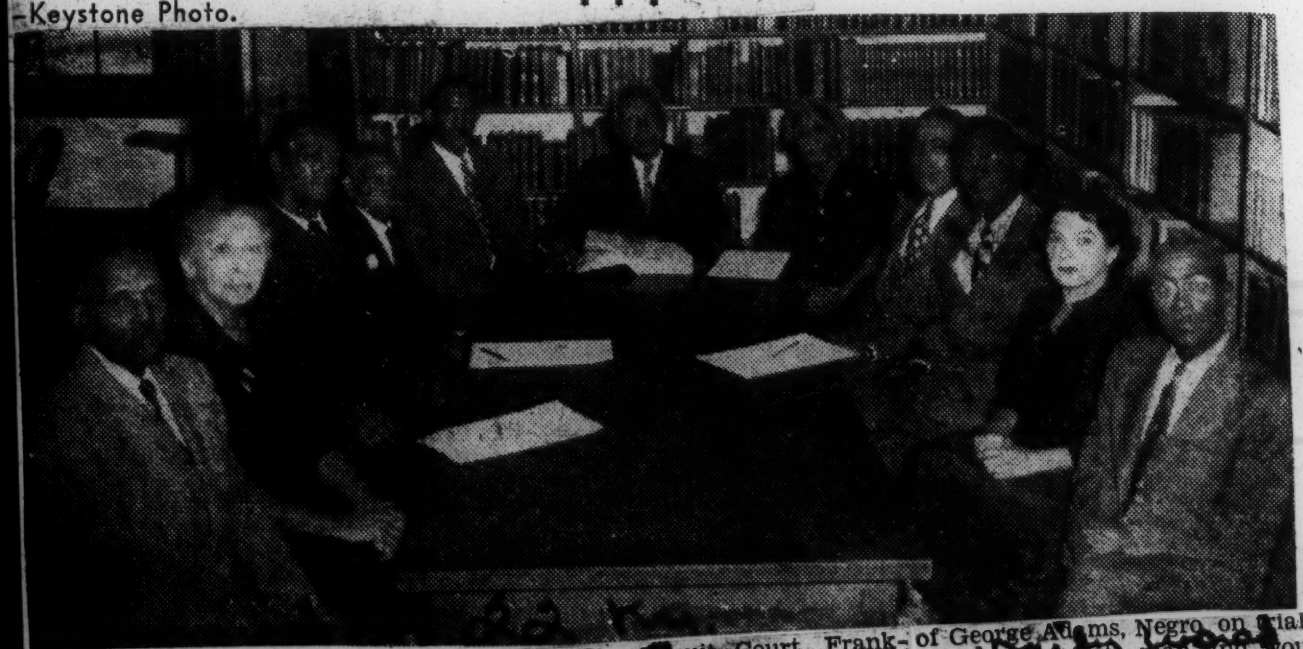
A quarrel followed while they were drinking. Trial of Adams for the wounding of the other man is being held over to the January term of court.

Ben Spencer, a cobbler, was foreman of the jury.



Is This Necessary?— This all-Negro jury, the first ever selected in Frankfort, Ky., last week handed down the guilty verdict that sent George Adams to jail for three years for having slain Ransom Maddox, white, last April 4, and wounding the dead man's brother, Mitchell. Left to right: Henry Clelland, Mrs. George Hughes, Cecil Warren, Mack Miller, Burl Tillman, B. F. Spencer (center, foreman of the jury); Mrs. Lucian Taylor, Armour Blackburn, Prof. W. W. Jones, Mrs. Ernest Woolridge and Richard Robinson. George Graham, the twelfth juror, is not shown. The all-Negro jury was requested by Defense Atty. Philip Ardery, son of Circuit Judge Ardery. —Keystone Photo.

* * *



ALL NEGRO JURY — This is a picture of the All-Negro Jury (one juror could not be present for the picture) which recently tried a case of George Adams, Negro, on trial for killing one white man and wounding another. The two white men, brothers, wanted to engage the services of the Negro to train a horse for them; they all engaged in a few drinks together; an argument and fight followed later.

Commonwealth Attorney asked for a life sentence, and Defense Attorney, claiming self-defense, asked for acquittal.

The All-Negro Jury gave the defendant a sentence of three years in prison.

Names of jurors, left to right: Henry Clelland, Stone Mason; Mrs. George Hughes, Housewife; Cecil Warren, Chauffeur; Mack Miller, retired distillery worker; Burl Tillman, Cook; B. F. Spencer, Shoe Repair Business, Foreman; Mrs. Lucian Taylor, Housewife; Armour Blackburn, Grocery Business; Professor W. W. Jones; Mrs. Ernest Woolridge, Insurance Agent; Richard Robinson, State Employee. Absent from picture, George Graham, Farmer.

22 1949

New Jersey

Court Rules No Discrimination In Jersey Juries

Sat 3-19-49

TRENTON, N. J.—Holding that there had been no discrimination against Negroes or wage-earners in the selection of the Union County grand juries that indicted two strikers on charges of resisting arrest, the Appellate Division of the New Jersey Superior Court last week denied motions on behalf of the strikers to quash the indictments.

The court, however, recommended greater consideration of such persons in preparing jury lists.

MADE RULING

The ruling was made by Judge Nathan L. Jacobs. The defendants are Charles Stewart and Wesley Mitchell Sr., both of Elizabeth. Mitchell is a Negro. The two were involved with the police in a strike in January, 1946, against the Phelps-Dodge Copper Products Corporation there.

The motion to dismiss the indictments, originally made before the old State Supreme Court and renewed before the new Appellate Division of Superior Court, raised the contention that "hourly-paid wage-earners and colored persons had been deliberately and intentionally excluded from the grand juries."

22 1949

NEW YORK

She Read the Verdict in Court

Mrs. Thelma Dial, wife of a Harlem musician, who as foreman of the jury read the verdict convicting the 11 Communists of conspiring to overthrow the Government.

One Challenge Left Defense in Reds' Trial

The Washington Post

New York March 15 (AP).—The tentative jury in the Communist trial consisted today of eight women and three men—after the seventh day of jury picking.

The defense of the 11 top Communists, charged with conspiracy to advocate forcible overthrow of the Government, had only one of 15 peremptory challenges left, as the session ended.

Defense lawers had tried without success to have several prospective jurors challenged "for cause," without using up their peremptory challenges.

The Government had only two peremptory challenges left.

As the jury stands now, Juror No. 1, and foreman unless she is removed, is a Negro housewife. One other Negro is among the eight women, seven of whom are housewives.

Also on the tentative jury are a retired salesman, an unemployed industrial engineer and several clerks.

The court excused one juror for cause today. The man, Thomas Murtha, said he was a former commander in the American Legion and a member of the Catholic War Veterans.

Asked if he thought that would make him biased, Murtha replied: "I'm afraid it would."

Removed by defense challenges were a retired general service manager for a typewriter company; a housewife whose husband operates an automobile repair shop; an assistant district manager of an insurance company; a housewife whose husband is a sales manager, and an insurance company claim approver.

The Government excused a woman department store employe who is a member of a union.

Councilman Benjamin J. Davis, Jr. one of the defendants, had been an outspoken opponent of Metropolitan's segregation of white and Negroes in its housing projects.

"Do you object to the disproportion of women?" asked Judge Harold R. Medina.

"The ladies--God bless them--I love them," said Sacher.

NEGRO ON MARCH FEDERAL GRAND JURY IN NEW YORK

Black Dispatch, Oklahoma City

NEW YORK — (ANP) — In the midst of the furor over the purported exclusion of Negroes from federal grand jury service in New York, it was learned that Richard S. Blair, Negro teller employed by the Consolidated Edison company, was amoung members of the March federal grand jury sworn in by Judge Simon H. Rifkind here last week. There was also a Negro on the February grand jury panel, according to Asst. U. S. Atty. Edward E. Rigney.

The federal jury system has been under attack by 11 Communist leaders facing conspiracy charges. The Communists' attorneys charge the jury system is unconstitutional because it excludes Negroes, Jews, women, manual workers and certain other groups.

To support the defense's allegation, a portion of testimony given before a senate judiciary subcommittee in April, 1947 by Senior Judge John Clark Knox of the U. S. Southern District court of New York, was introduced into the trial. Judge Knox is reported to have told the senate group that "in New York there are Negroes immigrant and whatnot groups in the population, some of them competent to serve on juries; but if you sent out a dragnet and tried to bring them all in, you might come up with results no one would wish."

Defense Attorney Harry Sacher referred to what he called an "altogether disproportionate representation" of Metropolitan Life Insurance Company employes on the panel. The Washington Post

He noted that City

SAY JURIES BYPASS HARLEM DISTRICTS

Cleveland Call & Post

NEW YORK Feb. 26—(Special)—A Government witness testified here this week at the trial of high United States Communists that no federal jurors were drawn during 1947 and 1948 from the voting lists of six Harlem and lower East Sidt assembly ditsricts. Cleveland Ohio

During the corresponding period, the witness testified under defense cross-examnation, 7,825 jury notices were sent to persons whose names were taken from the voting lists for three assembly districts in the wealthy, so-called "silk-stockings" ditrict of Manhattan."

The witness was Joseph F. McKenzie, federal jury clerk here, who is the first person called by the prosecution to disprove defense claims that federal juries are "rigged" in favo of the rich against th poor and members of minority groups, including the Jews and Negroes.

Before McKenpie resumed the stand Federal Judge Harold R. Medina granted the left-wing American Labor party permission to intervene in the trial by fixing a brief as "a friend of the court."

The sattwide party is headtd by Representativt Vito Marcantonio.

them, so I resigned," Mr. Taylor said.

So far as I can ascertain, Mr. Taylor was the only Negro appointed to the U. S. Attorney's staff throughout the '30's and '40's. In the latter '20's, a Negro attorney named Richard Baltimore, Sr., served on the staff.

NO JUSTIFICATION

Mr. Taylor said he could find no justification for the absence of Negro attorneys in the federal judiciary setup here.

"We have the men, we have the qualifications, but we are not represented," he said, as his quiet voice rose. "The great Negro community is unrepresented in the process of justice, and that is scandalous."

Moreover, he posed this question: Why does no Negro judge sit on the federal bench here. "Can there be any good reason that none has been appointed to that high office?" he asked.

Now I do not know Mr. Taylor: this was the first time I had ever met him. He told me he is a Democrat, his law associate, Joseph Pinckney, is the Democratic leader of the 11th A. D. I suspect Mr. Taylor abides by all the rules of Democratic politics in this city, but he is a Negro and he lives in Harlem.

Truth shackled in Foley Square strides freely here: the words downtown become flesh and blood uptown. As I spoke with Mr.

Only 2 Negroes on Juries in 6 Years

Daily Worker, New York.

By Joseph North

Arthur H. Taylor, the Negro lawyer who had served six years as an Assistant United States Attorney, told me yesterday that in all his considerable time as a federal official here he could only recall two Negroes who had served on Grand Juries.

To me, as a layman, and, I am sure, to you, that is a damning indictment of great relevance to the issues in debate at Foley Square. However, I am as certain that Judge Medina would not regard it so as I am confident that 15,000,000 Negroes would disagree with the judge. Just as the shepherds and fishermen disagreed with an imperial Roman named Pontius that than ever after I went up to

Harlem yesterday. There I visited Mr. Taylor in his law offices at 125th St. and Lennox Ave. to ask him some questions. He is a quiet, gray-haired man in his early 50's, with the worldly air and manneris of the experienced lawyer who had, in his time, legal questions of the biggest narcotic Pilate who, too, several thousand years ago asked what is truth, and answered his question in the blunt way the Romans had, which involved some heavy nails and a cross.

But that was almost 2,000 years ago, and though Judge Medina is a subtle man his success will not equal that of his ancient predecessor.

PROUD OF SERVICE

States attorney, after his appointment as United lor to resign. Mr. Taylor, pressed Mr. Taysign. "When McGohey F. X. McGohey in and indicated they after his appo in a ut me. I didn't want

Taylor I glanced down through his window on Lennox Ave. and saw a troop of mounted policemen gallop by. The fervid assurances of equality in Foley Square assumes a different meaning in Harlem.

Mr. Taylor resents the atmosphere of repression that has arisen through the land and he mirrored the sense of his people when he said: "A man has a right to his views. He has a right to stand up in his community and speak out for the Negro, the Jew, the minority." But, he said, should one do so today there are too many who will point the finger at them as "subversives."

"Damned Communist," he said, "is the epithet of today."

He spoke his indignation at the treatment accorded Henry Wallace and Paul Robeson. "Everybody," he said, "has the constitutional guarantee to free speech. That is the meaning of the First Amendment."

Of course, he reiterated, the minorities must be given "better representation in this federal judicial system than they have." He considered it abhorrent that any distinctions are made, and contended that there are multitudes of qualified people in the lower economic brackets, black and white, who should serve in the dispensation of justice.

I can well understand Mr. Taylor's sentiments, for he has himself suffered the whiplash of discrimination which the federal judge and the federal prosecutor deny. His years of training at Lincoln University, at Yale, at the University of Buffalo, were coldly disregarded. His arduous service as a prosecutor of those who violate the narcotic laws had won him the respect of many associates. He worked so diligently at his responsibilities that his health was undermined.

But his skin was dark.

NEGRO ON FEDERAL JURY

New York Times

Consolidated Edison Teller Is Sworn In on March Body

New York, New York

Richard S. Bair, a Negro who is employed as a teller by the Consolidated Edison Company, was among the members of the March Federal grand jury that was sworn in yesterday by Judge Simon H. Rifkind. Mr. Bair works at the office at 32 West 125th Street and lives at 2171 Madison Avenue.

The Federal jury system has been under attack by the eleven Communist leaderes being tried on conspiracy charges on the ground that it excludes Negroes, Jews, women, manual workers and certain other groups. According to Assistant United States Attorney Edward E. Rigney, the February grand jury also included a Negro.

Roderick Stephens, executive of the Stephens Fuel Company, 274 Madison Avenue, was named foreman and Lawrence E. Simon of 730 Park Avenue, a general agent of the Massachusetts Mutual Life Insurance Company, was appointed assistant foreman.

FIRST JUROR IN RED TRIAL is Mrs. Thelma Dial of New York, a housewife. Mrs. Dial, by being first selected automatically becomes foreman of panel which will hear government's case against 11 top leaders of Communist Party accused of organizing group which teaches overthrow of U. S. government by force and violence.—Keystone photo.

Greenville, N. C. Has First Juror Of Race

GREENVILLE, N. C.—(ANP)—For the first time in his county a Negro juror sat in a case last week in the County Civil Court. The juror was John Redmon of the Simpsonville section.

In the past when Negroes have been called for jury service, local attorneys have objected to them.

Mixed Jury In N. C. Sentences Larcenist

WADESBORO, N. C.— (ANP) — Sentence was imposed last week on the first defendant to be tried by a jury composed partly of Negroes in Anson county in more than 50 years.

Mary Frances Ward was given five months after conviction of larceny by a jury including three members of her own race.

Press Dispatch
Okla. City, Okla.

What We Lose By Fear and Default

Hats off to the Negroes in Stephens county! One hundred and thirteen of them last week presented a petition to the district judge stating that the jury commission in Stephens county had refused across a period of years to place Negroes on jury panels. It was mandatory, under the statutes, for Judge Marmaduke to take judicial notice of this petition.

No one has any more rights than he knows he has and will exercise. Most Negroes allow their rights to go by default. Whenever some bold, courageous black man in the community attempts to assert his constitutional rights and follows lawfully and statutory methods to obtain same, there is always some Uncle Tom black man standing around to say "the time is not ripe," which is of course echoed by numerous others who follow Uncle Tom leadership. There were thousands who said the time was not ripe to urge Negro enrollment at the University of Oklahoma, only to discover that a number of good things can be secured in unripe times.

There is no need to have a right you fear to exercise. Hundreds of Negroes will ride hungrily from Oklahoma City to Chicago every week because they are afraid to exercise their right to walk into a diner, where the law says he must be fed, or he will reach his destination fatigued and unable to go on his job simply because of fear to ask for a Pullman berth. We have seen Negroes stand in groups at bus and railroad terminals awaiting the loading of whites before they attempt to climb on. These are the people who have rights spelled out crystal clear in the statutes but fear to exercise them. We might go on endlessly to describe the every-day resignation of blacks who argue in private about their rights but who would not touch these same rights in public with a ten-foot pole.

Sat. 1-22-49

In counties where a crime is committed, and the sheriff or county attorney disregards entirely filing an information, few Negroes seem to understand the signature of 100 black taxpayers on a petition presented to a district judge respecting the complained of delinquency makes it mandatory upon the judge to act, or to compel action. Injured citizens can in this manner call a grand jury and go before that grand jury and present evidence they may possess, which the sheriff and the county attorney have ignored.

But where is the county where 100 blacks will walk up and place their signatures on a petition bringing to head a controversial matter having to do with a killing or relating to malfeasance in office on the part of some official? That's the fine thing about Stephens county. The blacks over around Duncan have pointed the way to the solution of most of their problems. Negroes must learn they must add a little tincture of "guts" to whatever they do. In almost every county in Oklahoma, especially in the smaller ones, county officials are delinquent respecting school funds. We know one county in Southeastern Oklahoma where flagrant thievery has been going on for years, and where the Negroes are still holding school, as in Mississippi, in rented school property.

All in the world those Negroes need do is employ a public accountant to assemble the facts from the county records as to the separate funds levied, and the amount administered and allocated to the separate schools following the levy. While this is being done, 100 Negro taxpayers could sign a petition calling for a grand jury investigation and the district judge "must" call a grand jury, and the citizens may go a step farther. They may call on the governor and request him to send a representative from the attorney general's office to assist in probing the facts and evidence they present.

Care should be taken in all such matters to secure persons who will get out in front who are not vulnerable. We recall some years ago citizens in Caddo county filed a suit in the county and before it could come to trial the white folk who employed the petitioners had ordered them to have it dismissed, and this is what actually happened. The citizens had to refile their case with the use of other taxpayers' names who could not be so easily influenced. There are quite a few folk who talk loud on occasion, but when the test comes to stand and stubbornly endure against aroused and deep-seated local prejudices, will take cover and leave everyone helpless.

1-22-49

And now just a word to the Stephens county Negroes. The Oklahoma Conference of Branches NAACP several years ago won the right of Negroes to sit on juries in Oklahoma courts, in the Jess Hollins case. Following the decision secured by the NAACP in the U. S. supreme court, the presiding judge of the criminal court of appeals of this state issued a statement from the bench in which he took judicial notice of what the supreme court had said about the systematic exclusion of Negroes from jury service, and he added this admonition: that hereafter, whenever Negroes in any county in Oklahoma appealed to the criminal court of appeals and made proper showing of denial in a particular county of the black man's right to sit as a juror, petitioners would not have to carry their appeal to the federal structure. He said the case would be remanded from the criminal court of appeals. We point this out for the reason Judge Marmaduke's instructions to the jury commission in Stephens county may not get immediate results. But Negroes in Stephens county can get effective action in criminal matters in the criminal court of appeals.

Incidentally, the right to sit on juries in Stephens county is a right they have possessed all the time since the Jess Hollins decision. The Negroes in this southern Oklahoma county have been allowing this right to die by default.

Cafes Serve Mixed Juries

Chicago Defender

CHARLESTON, S. C.—Alfred J. Plowden, Jr., O. S. Marshal for the eastern district of South Carolina, revealed here last week that Negroes and whites serving on federal juries are sharing dining and sleeping facilities both here and in other parts of the state.

U. S. District Judge J. W. Waring and George B. Timmeran ordered the non-segregated policy and none of the jurors has complained, Plowden said He revealed that he had told restaurant managers that if they wish to serve one juror, they must serve all. 6-4-49

A few customers have questioned the sight of Negroes in a dining room marked for "white only," Plowden said, but when the situation was explained, complaints were forestalled. 6-4-49

Where it was necessary to provide sleeping accommodations, some hotels have provided a large room in which the jury has been given dormitory facilities.

Negro Serves On Memphis Jury

Courier

MEMPHIS, Tenn. — (ANP) — Edgar H. Davis Sr., a building contractor, was the first Negro in many years to sit on a Chancery Court jury last week.

Sat. 10-15-49

His selection was unchallenged by attorneys for both sides. It was pointed out by courthouse employes that many Negroes have been called for duty in the past. However, they were released from duty either by their own request or they have been challenged by counsel.

Pittsburgh Pa

The longest memory on the Chancery Court staff goes back twenty-three years and it probably has been longer since a Negro has served.

Negro Selected For Tenn. Jury

Courier

Sat. 10-29-49

NASHVILLE—Floyd, 29, the first Negro in the memory of local court officials has qualified for duty as a Criminal Court petit juror it was made known here last week. On numerous occasions Negroes have been called for jury duty but various reasons disqualified themselves.

Pittsburgh Pa

Cowan, the father of three children, will serve for three weeks beginninf, Nov. 7, and will be a member of a panel which will hear a variety of criminal cases involving both Negro and white defendants.

Texas Clergyman Is Jury Foreman

Chicago Defender
Chicago, Illinois

SAN ANTONIO, Tex. — When the Rev. T. L. Sanders served as foreman of a local jury trying a white case here last week, he was believed to be the first to head such a jury in this century in the South. Rev. Saunders is pastor of Bethel AME church.

Another Negro, Earl Stevens, served on the six-man jury. Judge C. L. Matthews presided over the county court trial.

14 Named To Serve As Jurors

Journal & Guide
Norfolk Va

NORFOLK — Frank W. Merritt was named to serve on the Corporation Court Grand Jury and 13 other colored persons were assigned to duty as petit jurors for the January term of Corporation Court 11 here Monday.

Named to serve as petit jurors for Corporation Court, Part 11 are: Johnnie Arnold, 741 Seley street; Benjamin Bailey, 1354 Lead street; Benjamin Green, 850 Chapel street; Isiah H. Neal, 1400 Anne street and Edward Respass, 934 Jefferson street.

Jan-1-15-49

Those scheduled to serve as petit jurors for Corporation Court are: J. Reuben Archer, 1336 Bolton street; Robert Hale, 940 St. Julian avenue; The Rev. Howard L. McClendon, 1618 Mt. Pleasant avenue; William O. McCoy, 943 Fremont street; Hugh Mizell, 632 St. Paul street; T. Lorenzo Pharr, 1011 Rugby street; Solomon K. Skinner, 1013 East Indian River road; and Andrew W. Sutton, 1013 Oaklawn avenue.

Negro Group Member Given Okay as Juror

Washington Post
(22)
Washington D.C.

Richmond, Va., March 29 (AP).—Federal Judge Sterling Hutcheson ruled today that membership in the National Association for the Advancement of Colored People is insufficient reason to disqualify a prospective juror in a segregation case. Juer. 3-29-49

He made this ruling in District Court at the opening of the trial in which William C. Chance, 64-year-old Negro school principal of Parmele, N. C., is seeking $25,000 damages from the Atlantic Coast Line railroad and Alva S. Lambeth of Rocky Mount, N. C., one of its conductors. Chance was ejected from an ACL train at Emporia, Va., last June when he refused to move to a coach reserved for Negro patrons.

The juror in question was scratched from the list, anyway, under the Federal rule which permits counsel for both sides to strike three from the list without assigning any reason.

The only witnesses called before court adjourned to resume tomorrow were Lambeth, the conductor, and Chance.

The conductor said that when Chance refused to leave the white car, he telegraphed ahead to Emporia and had police meet the train there and remove the passenger.

Chance testified that he was told to move from his seat into a car which "was less comfortable and had less accommodations than the other coaches."